Press

App. F IX-4

1928.

File No. 35-28

Previous References (ME)

ME 35-28 B 3 L L

Serial Nos. 18122

Later References

General and Revenue Secretariat.

Serial Nos.

Part B for Annl 29

SUBJECT

Rules for the election of Presidents and Vice Presidents of Municipal Councils

22 Jo. Rao Bahadur V S Ranjundiah

Nos 28 & 29

1076

States that Govt considers it inexpedient to give advice in interpreting laws & rules which may hereafter come into question in a Court of Law

General and Revenue Secretariat | Mel File No. 4 4213 | 35 of 1928

Serial No.	
18	Do letter no 43 dated 30/1/29 from hon N S Nanjundaya, requesting information on certain doubts regarding rules for the election of Councils and the Councils of Town rules Asst Secy's orders on B & D "He has formerly raised certain doubts which please also look up" Note J K S and file 35-28-1/3 relating "Councils" is put up but it relates to rural elections Copies of the latest rules regulating the election of presidents and vice-presidents of Town Councils are put up 1) There is nothing in the rules, framed to disqualify members from voting 2) As regards the election of the President & Vice-President, the rules are explicit (Vide) the date of meeting shall not be later than one month from the date of reconstitution of the Council already enjoying the privilege and have to follow ordinary. 3) The candidates may vote for their own election. 4) If one and the same person is proposed for both the offices and the meeting were to be held on one date, there may be practical difficulties and particularly when only one person seems to be qualified to vote in the places.

Notes—Contn sheet

Serial No.

[illegible] election of [illegible] and [illegible] [illegible] of Rao is an applicant may be debarred [illegible] Committee in the 2 Houses, [illegible] [illegible] held on the same [illegible] [illegible] Since the word [illegible] privilege of having non-official Indian nominated, no fresh or special direction of Govt is necessary on the point

Submitted for orders

[illegible] No. 2) It is not the duty of Government to [illegible] the rule when doubt as may be cabled upon It is the duty of the [illegible] to arrange for election in the case Mr Vaijnath Rao Vacate his seat and there is no necessity to answer him on the points raised The Dy Sec will advise the Chief Secretaries Speech when the latter [illegible] for advice of [illegible] and [illegible] Rights and Privileges [illegible] for consideration

[illegible]

[illegible] 8 APR 1924 No. 75

3) I agree with the draft except [illegible] If approved a reply on these lines will be sent to the N S N

2nd Secretary 4) Yes [illegible]

NOTE—Contn. sheet

WD 021—GPB—30,000—31-8-24

General and Revenue Secretariat | File No. 35 of 192

Serial No.

Submitted with a draft for consideration (Reference 4 Supra)

(1-14 K - 2nd Member) 28/1914

CSJ

HJH

JDM

28/1914

22 Note for Secretary to Government of India Foreign & Political Department. States will kindly consider if any reference to the above cases in the respective laws & rules which may possibly come into question in a Court of Law

GEN SECTT 1929 I. S. G. Branch

OFFICE OF THE CHIEF SECRETARY OF CONSERVANCY 16 APR. 1929 No. 4644

NOTE—Contn. sheet

Office of the President
Town Municipal Council, Hassan
Dated 30th March 1928

D.O. 43
29-29

Dear Sir,

Referring to G O. No L 3055-ml 207-27-1 and 3058-ml 207-27-2 dated 21st November 1927 prescribing rules for the election of President and Vice President of Town and Minor Municipal Councils, I would Request you to be so good as to enlighten me on the following points, as I entertain some doubts about the rules.

(1) Whether ex-officio members of the Council can vote at the election of a President or Vice President

(2) Whether the election of a President and Vice President of a Municipal Council could be fixed to be held on one and the same day or different dates are to be fixed having regard to the provisions of rules sanctioned in G O. No referred to above

(3) Whether the candidates themselves can also vote for their own election as President and Vice President

(4) Whether the same person can be proposed for both President's Office and that of the Vice President if the election can take place on the same date, so that a candidate who may not get elected as President, may be voted as Vice President.

As the present term of this Council expires by 31st March 1928, owing to re-constitution of the Council, which comes into effect from, 1st April 1928 and elections of — President and Vice President are to be conducted, whether a special direction by Government is again necessary for the election of Vice President to the Hassan Municipal Council which got the privilege as per G.O No 2503 dated [illegible]

An early reply on these points is requested.

Yours Sincerely,

To,
S. Narayanaswamiengar, Esq, B.A., B.L
Jeneral Secretary to Government of [illegible]
the Manager of Mysore
Bangalore

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To

Rao Bahadur
B S Ranjundaiya, Esq.,
(Pdt District Board)
HASSAN.

S i r,

With reference to your D.O. - - letter No 43/28-29 dated, the 30th March 1929, soliciting instructions in regard to certain doubts in the interpretation of the rules for the election of a President and Vice President of Town and Minor Municipal Councils, I am directed to state that Government consider it inexpedient to give advice ~~in regard to the interpretation of the rules which may possibly come up before them~~ in interpreting Laws and Rules which may possibly come into question in a Court of Law or be brought before them for decision by interested parties. In the present case, it is the duty of the Chief Executive Officer to arrange for the elections and the - - Deputy Commissioner will advise him in case the Chief Executive Officer feels any difficulty ~~in the matter~~ and ~~if the latter~~ he seeks the advice of the Deputy Commissioner ~~in the matter~~

I have etc.,

Gl Secry to Govt.